

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANIEL R. SHERZER, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	
HOMESTAR MORTGAGE	:	
SERVICES, et al.	:	NO. 07-5040

ORDER

AND NOW, this 24th day of October, 2011, upon careful and independent consideration of the Motion for Judgment on the Pleadings of Defendants Homestar Mortgage Services, LLC and HSBC Bank USA, As Trustee (Docket No. 52), the opposition and reply thereto, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Docket No. 74), and after consideration of the Plaintiffs' Objections and Appeal From The Report and Recommendations Re: Homestar, et al.'s Motion for Judgment on the Pleadings (Docket No. 83) and the response thereto, IT IS HEREBY ORDERED, that:

1. The plaintiffs' Objections, which restate arguments made by the plaintiffs in their response to the defendants motion and addressed by Judge Hey in the Report and Recommendation, are OVERRULED.

2. The Report and Recommendation is APPROVED and ADOPTED.

3. The motion is GRANTED. Judgment is hereby ENTERED in favor of Homestar Mortgage Services and HSBC Bank USA and against the plaintiffs on Count I of the plaintiffs' complaint.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.